



**MINUTES OF THE LEON VALLEY  
BOARD OF ADJUSTMENT  
January 3, 2012**

**I. ROLL CALL**

Acting Chairman Don Modrick convened the meeting at 6:30 p.m. Present at the meeting were Members Ray Olvera, Lupe Carpio, Lucinda Mandujano, and Vivian Pankey and alternative member Liz Maloy. Absent and properly excused was Member Renee Baird. Also present was Community Development Director Kristie Flores, acting as recording secretary and Community Development Coordinator, Christy Carter.

**II. BOARD OF ADJUSTMENT CASE NO. BOA 2011-207  
(Shopping Center, Mary Garza, applicant and property owner)**

Chairman Modrick opened the public hearing at 6:00 p.m. After being sworn in, Ms. Flores presented the case details and stated that BOA Case #2011-207, was a request for a variance to the Leon Valley Code of Ordinances, Chapter 14, "Zoning," Article 14.02.305, "Regulations for all districts," Section II. "Standards for Sustainability Overlay," Subsection (C.5) "Building Height and Site Area Regulations-Rear Yard," to encroach twenty (20) feet into the rear yard setback. The Sustainability Overlay requires a thirty (30) foot setback between business and residentially zoned property, at 7600 Eckhert Road, being Lot 44, Block 1, CB 4446A, Linkwood Addition Subdivision.

After being sworn in, Leticia Cardenas, resident of Leon Valley, expressed concern about increased traffic, parking and emergency vehicles, but as long as the eight (8) foot fence, dumpsters and lights are in built as planned then she supports the business. Leticia Cardenas lives at 7603 Linkwood Drive.

Being no further discussion, Board Member Olvera made a motion to approve the motion for the variance request because the Linkwood Neighborhood was developed before there were any ordinances and there have been several variances in the area. Board Member Pankey seconded the motion. The vote did meet a quorum of four (4) affirmative votes, there were six (6) votes in favor and zero (0) votes in opposition and the motion passed 6-0.

**In Favor of the Motion**  
Vivian Pankey – yes

**Opposed to the Motion**

Lupe Carpio – yes  
Lucinda Mandujano – yes  
Ray Olvera – yes  
Don Modrick - yes  
Liz Maloy -yes

**III. BOARD OF ADJUSTMENT CASE NO. BOA 2011-208**  
(Zamorano Investments, applicant and property owner)

After being sworn in, Ms. Flores presented the case details and stated that BOA Case #2011-208, was to allow the building to remain constructed as a primarily metal building and not as specified by the Sustainability Overlay and to allow eight (8) less parking spaces than required by Code at 5250 Evers Road, being Lot 14, Block 1, CB4428H, Zamorano Subdivision Unit #2. Staff noted that the building was built without a permit and that there were no similar variances granted in this area. Staff further explained that a variance was being requested to allow less parking than is prescribed per Code. Staff noted that for office/warehouse use for a 7,200 square foot building twenty-four (24) parking spaces were required. Staff stated that the applicant was requesting a variance to install sixteen (16) parking spaces; eight (8) spaces less than required.

After being sworn in, Mary Ann Zamorano, business owner, explaining that they had made a mistake in building without a permit but asked that the Board consider her request as it was not cost effective to change the existing building. She also noted that as a wholesaler there was not a lot of onsite traffic or visitors and noted that having less parking spaces should not be a problem.

Being no further discussion, Board Member Olvera made a motion to approve the motion for the variance request. Board Member Pankey seconded the motion. The vote did meet a quorum of four (4) affirmative votes, there were six (6) votes in favor and zero (0) votes in opposition and the motion passed 6-0.

**In Favor of the Motion**

Vivian Pankey – yes  
Lupe Carpio – yes  
Lucinda Mandujano – yes  
Ray Olvera – yes  
Don Modrick - yes  
Liz Maloy -yes

**Opposed to the Motion**

**VI. OTHER BUSINESS**

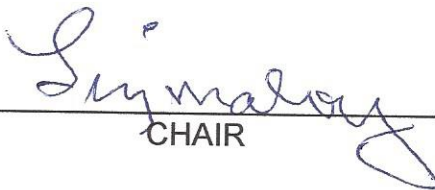
No other business.

**VII. ADJOURN**

There being no further request for discussion, Board Member Liz Maloy moved to adjourn the meeting. Board Member Vivian Pankey seconded the motion and the motion carried unanimously by voice vote.

TIME: 7:25 p.m.

  
STAFF

  
CHAIR